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CORRESPONDENCE TO:
107 PARK WASHINGTON COURT
FALLS CHURCH, VIRGINIA 22046

February 27, 1996

Facsimile 202 219-3923

Elizabeth M. Stein, Esquire
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAR 1 2 15 PM '96

Re: **MUR 3774**
Coalitions for America, Inc.

Dear Ms. Stein:

We respond to your facsimiles of February 2 and 23, 1996, in which, after a five-month hiatus, you ask about Answers to Interrogatories of September 13, 1995.

1. Interrogatory 2(c) is answered in terms of "conversations" because that is the accurate answer. Please note that our answer specifically and pertinently states:

"... there is no document relating to any such conversation..."

Please note also the answer to Interrogatory # 3:

There is no documentation except the two checks and the two transmittal letters. ¶2(c), *supra*.

Elizabeth M. Stein, Esquire

February 27, 1996

Page 2

2. With respect to Interrogatories ## 2 and 3 we responsively produced no document other than the checks and the cover letters because there is no other document.

3. You now request the reverse of the grant checks, copies herewith. *ATTACHMENTS ONE-THREE.*

4. You now also request "account statements for September 1992 through January 1993 for CFA's operating account in the Rushmore Fund for Government Investors (through American Security Bank, Washington[,] D.C. [,] then through Rushmore Savings and Trust FSB, Bethesda, MD) and CFA's investment account with the Oppenheimer Funds (through Smith Barney Harris and [sic] Upham, Washington, D.C."

There actually are two Oppenheimer accounts because a second account was opened on December 15, 1992 without the balance in the existing account having been transferred.¹

These statements are of no probative value. With considerable hesitancy, we provide them. CFA is not a political committee; participates in no political contest; and is qualified under 26 USC §501(c)(4) as among those

... organizations not organized for profit but operated exclusively for the promotion of social welfare ... and the net earnings of which are devoted exclusively to charitable [or] educational ... purposes.

¹ The opening of an identical and duplicate account obviously serves no purpose. We are unable to learn why it was opened although it may have been a (harmless) error by the dealer. As you undoubtedly know, there have been a series of Smith Barney mergers, commencing on or about January 1, 1993.

Elizabeth M. Stein, Esquire

February 27, 1996

Page 3

As such, the internal finances of CFA may be, upon audit, of concern to the IRS. However, they are no business of FEC or of an FOIA enquirer. We provide this internal information, therefore, with the clear understanding that CFA waives no right to object to a further incursion into its confidential corporate activity.

These statements are Rushmore, *ATTACHMENTS FIVE-EIGHT*; Oppenheimer, through Smith Barney Harris & Upham, *ATTACHMENTS NINE-TEN*; Oppenheimer, through Smith Barney Shearson, *ATTACHMENTS ELEVEN-TWELVE*. Please note that these statements cover both Oppenheimer accounts and the entire calendar years 1992 and 1993. This is more than you requested but it is the format the entities submit which CFA maintains in its files.

5. You now also request information as to "the source of CFA's funding for each episode of Empowerment Outreach and Family Forum produced and aired between September 1, 1992 and December 31, 1992."

As we pointed out in our Interrogatory #2(e) response, funds are fungible. We perceive no accounting method by which a dollar can be traced to a particular project. Further, as noted in the response to #4, "[a]s the tapes clearly reveal, the programs were not related to the Georgia (or any other) election."

Five months ago, as herein, we have provided you with all information and documentation requested and, to be helpful, additional information and documentation. There is no hint, much less evidence, of CFA federal election activity. Thus, FEC has no jurisdiction over CFA. MUR 3774 has been pending against CFA since May 20, 1993. The Complaint appears in every particular to be a partisan political thrust by an instrumentality of one political party against an instrumentality of the other. It was reckless for Complainant to have included CFA in the proceedings.² Continued FEC activity against CFA would be ultra vires as well as

² Counsel for Complainant himself apparently is not without criminal and ethical challenge. 18 USC §§203 and 205; *The Washington Times*, February 16, 1996, page A4. FEC should consider an investigation of his eligibility to practice before FEC.

LAW OFFICES

MARION EDWYN HARRISON

Elizabeth M. Stein, Esquire

February 27, 1996

Page 4

harrassment. FEC forthwith should close MUR 3774 as to CFA. Threats of attempts at judicial enforcement are unwarranted and unseemly.

Hard copy follows.³

Sincerely,

A handwritten signature in dark ink, appearing to read "Marion Edwyn Harrison", with a stylized, flowing script.

MARION EDWYN HARRISON

cc Coalitions for America, Inc.

³ We note your letters to us have come by fax. After a FEC delay of five months, there should be no need for instant communication. We prefer to communicate by hard copy or at least by facsimile with hard copy following, unless there is urgency. Hard copy will follow, if for no other reason, because these brokerage statements are more difficult to read in facsimile.

ATTACHMENT ONE

054004551

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE. RESEAL FOR FUTURE INSTITUTION USE.

FOR DEPOSIT ONLY
MAIL ROOM 61 NEW YORK

PLEASE ENDORSE HERE

*

[illegible]

EO 1.04.307.1171

ATTACHMENT TWO

PLEASE ENDORSE HERE

Deposit Only

Net

[Signature]

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

0046 81981

1ST AMERICAN BK

RESTON, VA 22091

800-223-9498

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1ST AMERICAN BANK DC
054009043 22
1021
0073061

*FEDERAL BANKING ACT 1987 - FEDERAL RESERVE INC. CC

20.04.397.1172

20 "04" 297 "4173"

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ATTACHMENT THREE

FOR DEPOSIT ONLY
NOT TO BE USED FOR CASH

3022 82504

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